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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,012	04/09/2004	Keith Taboada	KPT/003	1666
26291	7590	06/21/2006	EXAMINER	
PATTERSON & SHERIDAN L.L.P. 595 SHREWSBURY AVE, STE 100 FIRST FLOOR SHREWSBURY, NJ 07702			ARTHUR JEANGLAUD, GERTRUDE	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,012

Applicant(s)

TABOADA, KEITH

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-9, are rejected under 35 U.S.C. 102(e) as being anticipated by Warren et al. (U.S. Pub 20040054821).

As to claim 1, Warren et al. disclose a data acquisition system comprising a memory; a processor coupled to the memory (See paragraph 0128); and a first communication port adapted for coupling to a vessel navigation system (See paragraph 0179); and a switch, when actuated in response to an event, causes information retrieved from the vessel navigation system to be stored in memory (See paragraph 0135; activated switch paragraph 0185).

As to claim 2, Warren et al. disclose a display in the data acquisition (See paragraph 0185).

As to claim 4, Warren et al. discloses the data acquisition comprises at least one of a radar (See paragraphs 0002, 0160).

As to claim 5, Warren et al. disclose a computer wherein one would consider having an enclosure housing having a memory and processor and a second

communication port configured to communicate with a device remote from the enclosure (See paragraph 0148).

As to claim 6, Warren et al. disclose the second communication port is configured to transfer information at least via a modem (See paragraph 0148).

As to claim 7, Warren et al. disclose the first communication port is coupled to a network comprising the vessel navigation system includes at least one of a chart plotter (mapping) (See paragraph 0017, 0179).

As to claims 8-9, Warren et al. disclose the data acquisition is a remote device selectively in communication with the memory through the second communication port and wherein the remote device is at least one of a computer (See paragraphs 0135, 0148, 0179).

Claims 10-15, 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Squires et al. (U.S. Pub 20030056419).

As to claim 10, Squires et al. disclose a data acquisition system comprising a vessel navigation system having at least one of a chart plotter and a data acquisition coupled to the vessel navigation and having a memory (database) configured to store thereon a date and information retrieved from the vessel navigation system in response to an event (See abstract; paragraph 0133).

As to claim 11, Squires et al. disclose a method of acquiring fishing data comprising generating a signal in response to an event; and automatically storing date and vessel position in a memory disposed on board a vessel in response to the signal (See abstract, 0133)

As to claim 12, Squires et al. disclose the signal further comprising manually actuating a switch (button) (See paragraph 0151).

As to claim 13, Squires et al. disclose storing information from a vessel navigation system in the memory in response to the signal (See

As to claim 14, Squires et al. disclose the step of storing information further comprises storing at least one of water temperature (water condition data) (See abstract).

As to claim 15, Squires et al. disclose manually entering an information associated with the event (input means 37 abstract; see paragraph 0151).

As to claim 18, Squires et al. disclose building a database of information associated with events (See paragraph 0158).

As to claim 19, Squires et al. disclose performing a statistical analysis on the event information stored in the database (See abstract, paragraphs 0054, 0055, 0164).

As to claim 20, Squires et al. disclose displaying a selected event from the database (See paragraph 0158).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warren et al. (US 20040054821) in view of Takiguchi et al. (US 20020032696).

As to claim 3, Warren et al. disclose the data acquisition but fail to specifically disclose the display displays at least one entry line having at least a date and a position associated with the event. In an analogous art, Takiguchi et al. discloses an intuitive hierarchical time-series data display method and system wherein it discloses a display means that displays one entry having at least a date and a position associated with the event (See paragraph 0048). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Warren et al. with that of Takiguchi et al. by having a display that displays date and position for better navigation instruction.

Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squires et al. (U.S Pub 20030056419) in view of Warren et al. (US 20040054821).

As to claims 16-17, Squires et al. fail to specifically disclose transferring the stored information to a remote device. In an analogous art, Warren et al. disclose transferring data to a remote database via land-line communication (See paragraph 0148). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Squires et al. with that of Warren et al. by transferring stored information to a remote device in order to allow flexible communication.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

GAJ

December 7, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUE
PRIMARY EXAMINER